

UNSAFE STRUCTURES BOARD HEARING MINUTES OF October 15th, 2014

Members Present: James Cueva, Chairman - James Starkweather, VC Kevin Deeb
Jose Escandell Abel Ramirez Aymara D. Riley
Julio Rivero

Excused Absent: Gordon Loader Carlos Naumann Ramon Arronte

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
David Sherman, Asst. County Attorney

Court Reporter: Janice Aguirre, Miami-Dade County Court Reporters, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:40 P.M. on Wednesday, October 15th, 2014, on the 2nd Floor, Conference Rooms I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva, Chairman, welcomed the new member Julio Jimenez to the Unsafe Structures Board.

Mr. James Cueva requested a motion to approve and accept the minutes of the September 17th, 2014, Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Official/Inspector:**

Unincorporated Miami Dade County:

DC20140164070U	13445 SW 288 Street, 13447, 13449
DCF2013113737U	5040 NW 197 Street #1
DCF2113113739U	290 NE 183 Street, #1
DCF2013113741U	16600 NE 2 Avenue, #1
DCF2013113838U	6600 NW 72 Avenue, #1
DCF2013113882U	7240 NW 12 Street, #1
DCF2013113909U	3089 NW 95 Street, #1
DCF2013113967U	3500 NW 54 Street, #1
DCF2013114015U	3562 NW 50 Street, #1
DCF2013114505U	9335 NW 22 Avenue, #1

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Miami Beach cases that were **No Contest/No Show for the Building Official** recommendation:

Unincorporated Miami Dade County:

DC20140165190U	100 Fontainebleau Blvd., #4
DCF2012112729U	3590 NW 71 Street, #1
DCF2012112837U	8801 W. Flagler Street, #1
DCF2012112838U	8821 W. Flagler Street, #2
DCF2012112839U	8841 W. Flagler Street, #3
DCF2012112840U	100 Fontainebleau Blvd., #4
DCF2012112841U	110 Fontainebleau Blvd., #5
DCF2013113732U	1640 Ives Dairy Road, #1
DCF2013113733U	1640 Ives Dairy Road, #2
DCF2013113798U	16605 NE 4 Avenue, #1
DCF2013113934U	7168 NW 16 Avenue, #1
DCF2013115195U	9133 Fontainebleau Blvd., #9133

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Unincorporated Miami Dade County:

DCF2013115196U	9137 Fontainebleau Blvd., #9137
DCF2013115197U	9139 Fontainebleau Blvd., #9139
DCF2013115198U	9143 Fontainebleau Blvd., #9143
DCF2013115199U	9151 Fontainebleau Blvd., #9151
DCF2013115200U	9153 Fontainebleau Blvd., #9153

City of Miami Beach:

BV14000912	7805-7815 Dickens Avenue
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Ms. Charles announced that the following Unincorporated Miami Dade County, City of Miami Beach, City of North Miami Beach and Village of Pinecrest cases that were **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County:

DCF2013113745U	777 NW 155 Lane, #1
DCF2013113785U	18701 NE 25 Avenue, #1
DCF2013113789U	18950 NE 4 Court, #1
DCF2013113841U	8321 NW 70 Street, #1

City of Miami Beach:

BV13001105	7718 Carlyle Avenue
BV14000699	7433 Collins Avenue

City of North Miami Beach:

NMB-BV10-340	1374 NE 178 Street
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Village of Pinecrest Case:

VOP2014-001	6699 SW 127 Street
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The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Escandell seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 2:03 P.M. by the Court Reporter:

Ms. Charles then called forth the first case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2010110706U	1099 SW 42 Avenue
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Mr. Monte Lee gave an account of the structure and informed the Board that the owner requested an extension of time before the expiration date of the Board Order. He then enlightened the Board that the case is a 40 year recertification. Mr. Lee further informed the Board that the Property Owner's attorney was present.

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Ms. Melissa Llahues, Attorney, gave a description of the property and informed the Board that her client acknowledges that the property needs to be repaired and brought up to code, but they're going to need additional time to do all the necessary repairs. Ms. Llahues informed the Board that her client purchased the property from the previous owner in 2011. She explained to the Board the intent of the use of the property and that work had been commenced, but obtaining a Community Zoning Hearing date to discuss the Zoning issues delayed the process of the completion of the repairs. Ms. Llahues then provided the Board with a document indicating the upcoming hearing date for a Community Zoning Hearing. She further informed the Board that the owner will be repairing the property and the permits have already been approved with the exception of the Zoning matters. Ms. Llahues proceeded to request 365 days to bring the property up to code.

Mr. Starkweather asked how many units are there.

Ms. Llahues responded that the property was a small single family home with Zoning issues. She further informed the Board that it had been gutted and the property owner will be converting it to a medical office.

Mr. Lee informed the Board that the property is not a residential. He further informed the Board that work had been performed without permits.

After some discussion, Mr. Kevin Deeb moved to allow extension of time to complete all the repairs within four hundred (400) days from today. Mr. James Starkweather seconded the motion.

Motion passed 6 to 1. (Ms. Amy Riley opposed)

(For a verbatim version, please refer to the transcripts).

Information – Vacate Board Order

Mr. David Sherman, Assistant County Attorney, informed the Board that Case No. BV14000083 had been previously deferred at prior hearings as an Extension of Time and as a result of a pending Circuit Court Appeal. He updated Members that parties have agreed to withdraw the Circuit Court Appeal and vacate the prior Board Order. The matter would then be submitted for a new hearing. Mr. Sherman proceeded to provide a brief background summary on Case No. BV14000083 – 5111 Pinetree Drive and stated that the case may likely be time consuming, so Members may need to ensure to clear their calendar for longer period of time for the meeting in November.

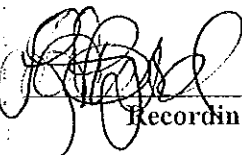
After some discussion, Mr. Kevin Deeb moved to vacate the prior Board Order on 5111 Pine Tree Drive. Mr. James Starkweather seconded the motion.

Motion passed unanimously.

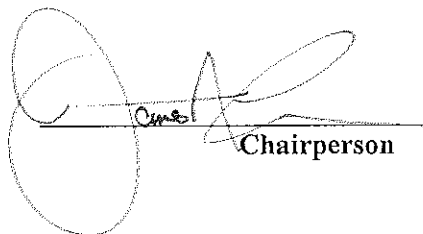
(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Kevin Deeb and seconded by Mr. Starkweather to adjourn the meeting at 2:15 P.M.

Prepared by:



Recording Secretary



Chairperson

Date:

11-12-2014